

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KIMBERLY BROWN,  
 Plaintiff(s),

v.

USAA CASUALTY INSURANCE  
 COMPANY,  
 Defendant(s).

Case No. 2:21-cv-01716-JCM-NJK

**Order**

[Docket No. 12]

Pending before the Court is a stipulation to extend by 120 days all of the deadlines in the scheduling order, except for the deadline to amend or add parties. Docket No. 12.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

The instant stipulation is predicated on various pandemic-related issues, most prominently that various members of counsel's office tested positive and difficulty encountered in obtaining medical records. Docket No. 12 at 2-3. While such reasoning provides good cause for an extension,<sup>1</sup> the parties do not explain why a lengthy four-month extension is warranted, particularly given that the scheduling order was only entered in November (i.e., not even four months ago). The Court will instead provide a two-month extension.

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<sup>1</sup> The initial expert disclosure deadline has already expired and, therefore, a showing of excusable neglect is required to revive it. Local Rule 26-3. The stipulation does not address the excusable neglect standard. As a one-time courtesy, the Court will allow this expired deadline to be revived and extended despite the failure to explicitly address the governing standard. The deadline to amend and add parties has also expired, but the stipulation does not seek relief as to that deadline. *See* Docket No. 12 at 4. That deadline remains closed.

Accordingly, the stipulation for extension is **GRANTED** in part and **DENIED** in part.

Deadlines are **EXTENDED** as follows:

- Amend pleadings/ add parties: closed
- Initial experts: March 17, 2022
- Rebuttal experts: April 18, 2022
- Discovery cutoff: May 18, 2022
- Dispositive motions: June 17, 2022
- Joint proposed pretrial order: July 18, 2022, or 30 days after resolution of dispositive motions

IT IS SO ORDERED.

Dated: February 8, 2022



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Nancy J. Koppe  
United States Magistrate Judge